In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No. 665 of 2007 (O&M)
Decided on February 06,2007

Balbir Singh -- Petitioner.

vs.

Smt. Savita etc. -- Respondents.

Present: Mr. R.K.Jain, Advocate,for the petitioner.

Pritam Pal,J:(Oral)

This Civil Revision by petitioner (defendant No.1 before the trial Court), is directed against order dated January 24,2007,passed by learned Civil Judge (Senior Division), Gurgaon, whereby his evidence was closed without cross-examining him.

A perusal of the interim orders as mentioned in para No.3 of the petition goes a long way to show that at one point of time, the petitioner could not be cross examined as a request was made on behalf of the plaintiffs, whereas on another date, he could not be cross examined due to his illness and on other two dates, he could not be cross examined as an application for permission to lead secondary evidence was filed by co-defendants of the petitioner.

Be that as it may, taking an over-all view of the facts and circumstances, this Civil Revision is disposed of at this stage,without issuing any notice to the respondents, with a direction that one

opportunity shall be given to the petitioner for his own cross-examination by the trial Court subject to payment of Rs. 3000/-as costs, payable to the plaintiffs.

A copy of this order be given dasti to learned counsel for the petitioner on usual payment.

February 06,2007 (Pritam Pal)
RR Judge